

THOMAS M. HERLIHY (SBN: 83615)
Thomas.Herlihy@wilsonelser.com
LISA SILVA PASSALACQUA (SBN: 161990)
Lisa.Passalacqua@wilsonelser.com
**WILSON, ELSEY, MOSKOWITZ,
EDELMAN & DICKER LLP**
525 Market Street, 17th Floor
San Francisco, CA 94105
Telephone: (415) 433-0990
Facsimile: (415) 434-1370

Attorneys for Plaintiff
**REASSURE AMERICA LIFE
INSURANCE COMPANY**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

REASSURE AMERICA LIFE INSURANCE COMPANY Plaintiff. v. ANDRIA D. R. BATISE, Verna I. CHASE, , MICKAELE CHASE, ALEXANDER CHASE and DOES 1-10, inclusive, Defendants.) Case No.: CV 11-00488 MMC)) STIPULATION AND ORDER FOR) JUDGMENT AND DISMISSAL)

IT IS HEREBY STIPULATED, by and between plaintiff Reassure America Life Insurance Company (“Reassure”), and defendants Andria D.R. Batise, Verna I Chase, Mickaele Chase and Alexander Chase as follows:

1. That this Court may enter a stipulated judgment in interpleader in the form attached hereto as ~~Exhibit A~~, to the parties' stipulation filed May 12, 2011;
2. That, by reason of the death of Michael Chase ("decedent"), on July 25, 2010, the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00)

1 (“Benefit proceeds”) became payable pursuant to Life Insurance Policy No.
2 AUSE0019010 (the “Policy”) that was issued by Valley Forge Life Insurance
3 Company to the decedent effective July 24, 2000; Reassure assumed Valley Forge
4 Life Insurance Company’s business including the insured’s policy and currently
5 administers the insured’s policy)

6 3. That defendants Andria D.R. Batise, Verna Iathe Chase, Mickaele Chase
7 and Alexander Chase each claim entitlement to some or all of the Benefit Proceeds
8 and that, to date, no other person or entity currently makes claim to Reassure for the
9 Benefit Proceeds;

10 4. That Reassure was ready, willing, and able to deliver the Benefit
11 Proceeds to the person(s) legally entitled thereto. However, by reason of the actual
12 and potential competing claims to the Benefit Proceeds, Reassure did not know and
13 was unable to determine the person(s) legally entitled to them;

14 5. That concurrently with the filing of its complaint in interpleader,
15 Reassure deposited with the Clerk of this Court the Benefit Proceeds, totaling One
16 Hundred Fifty Two Thousand, Three Hundred and Seventy Dollars and Fifty-
17 FourCents (\$152,370.54), which represents the insurance proceeds payable under the
18 Policy, plus interest;

19 6. That having deposited the monies with the Clerk of the Court on or
20 about March 9, 2006, Reassure, its predecessors, successors, affiliates, parent
21 corporation, officers and agents are fully and forever released, discharged, and
22 acquitted from any liability of any kind or nature whatsoever under the Policy or by
23 reason of the death of the decedent as to any and all claims, charges, demands, or
24 otherwise that exist now or may arise at any time in the future;

25 7. That Reassure is entitled to fees of \$ 13,754.00 and costs of 544.25, for a
26 total of \$ 14,298.25, to be paid out of the Benefit Proceeds deposited with the Clerk
27 of this Court;

1 8. That defendants stipulate that the remaining Benefit Proceeds deposited
2 with the Clerk of the court will be divided among the parties and paid out as follows:

3 a. Andria D.R. Batise will receive \$10,000.00 payable by check or
4 draft to Andria D.R. Batise;

5 b. Verna Ianthe Chase will receive \$42,648.07 from the balance,
6 payable by check or draft to Verna Ianthe Chase, P.O. Box 4744, Stockton, CA
7 95204;

8 c. Michaele Chase will receive \$42,648.07 from the balance, payable
9 by check or draft to Douglas A. Haydel, trustee for Mickaele Chase;

10 d. Alexander Chase will receive \$42,648.07 from the balance,
11 payable by check or draft to Douglas A. Haydel, trustee for Alexander Chase.

12 e. Any remaining balance, resulting from the accrual of interest from
13 the deposit of Benefit Proceeds with the Court, shall be divided equally (33 1/3 %)
14 between Verna Iathe Chase, Michaele Chase and Alexander Chase, and added to their
15 respective shares as referenced above.

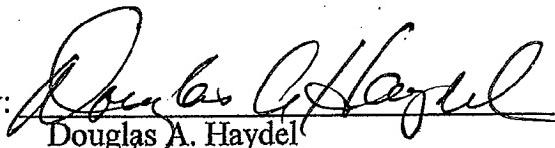
16 9. That defendants Andria D.R. Batise, Verna I. Chase, Mickaele Chase
17 and Alexander Chase are permanently enjoined from instituting or prosecuting any
18 proceeding in any state or United States court against Reassure, its predecessors,
19 successors, affiliates, parent corporation, officers and agents with respect to the
20 proceed due under the Policy; and

21 10. That Reassure is dismissed from this action with prejudice and the entrie
22 action is dismissed.

23 Date: May 11, 2011

24 WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

25 By: _____
26 
27 THOMAS M. HERLIHY
LISA S. PASSALACQUA
28 Attorneys for Plaintiffs

1 REASSURE AMERICA LIFE
2 INSURANCE COMPANY
3
4 Date: 5/10/11 HAYDEL & ORNELLAS
5
6 By: 
7 Douglas A. Haydel
8 Attorney for Defendants
9 Andria D.R. Batise, Mickaele Chase
and Alexander Chase
10
11 Date: 5/10/11
12
13 By: 
14 Verna Ianthe Chase
Defendant
15
16
17
18 **ORDER**
19
20 IT IS SO ORDERED.
21 Dated: May 13, 2011
22
23
24
25
26
27
28


Hon. Maxine M. Chesney
United States District Judge